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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	**Applicant(s)**
Office Action Summary	10/799,992	PURCELL ET AL.
	Examiner	**Art Unit**	
	KEVIN MAI	2456	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>16 March 2012</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5)☒ Claim(s) <u>1-9,11,12,15,17,18,21-26,29 and 30</u> is/are pending in the application.

    5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) <u>1-9,11,12,15,17-18,21-26,29 and 30</u> is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action has been issued in response to Applicant's Request for Continued

Examination filed March 16, 2012.

2.   Claims 1 and 15 have been amended. Claim 30 has been added. Claims 1-9, 11, 12, 15,

17, 18, 21-26, 29 and 30 have been examined and are pending.

Continued Examination Under 37 CFR 1.114

3.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on March 16, 2012 has been entered.

Response to Arguments

4.   Applicant's arguments filed March 16, 2012 have been fully considered but they are not

persuasive.

5.   Applicant argues Rajan teaches away from the invention of claim 1. Applicant argues

that since emails are moved to different directories this teaches away from the invention.

Examiner disagrees. While it is noted that the amendments have been made to try to limit the

invention to only occurring in a single inbox directory, the language does not appear to actually

limit only having a single directory. The claim states that some messages are collected into a

single inbox directory and dictates how some messages might appear in this directory. There is, however, no language that states that some other messages could not go to another directory. Nothing appears to restrict having other directories exist or even moving some messages into those directories. So while Rajan may disclose moving messages to other directories, this does not teach away from applicant's invention. Applicant's arguments focus on how Rajan would be broken if all messages were in one directory, however nothing in applicants claim actually limits to only having one directory. Additionally, since there is no language that actually disallows other directories, it is seen that Rajan's overlapping ranges discloses applicant's invention still. However, for the sake of promoting prosecution examiner has based most of the rejection on previously cited reference Harris.

6.   Applicant argues Murray teaches away from the invention of claim 1. Applicant argues that since emails could be moved to different directories this teaches away from the invention. Examiner disagrees. Firstly, the cited section clearly states <u>could be</u> and as such exists as an optional embodiment. Secondly, as discussed above, the claim states that some messages are collected into a single inbox directory and dictates how some messages might appear in this directory. There is, however, no language that states that some other messages could not go to another directory. Nothing appears to restrict having other directories exist or even moving some messages into those directories. So while Murray discloses that, in one embodiment, messages could be moved to other directories, this does not teach away from applicant's invention.

7.   Applicant argues Adkins teaches away from the invention of claim 1. Applicant argues
that since emails are moved to different directories this teaches away from the invention.
Examiner disagrees. As discussed above, the claim states that some messages are collected into
a single inbox directory and dictates how some messages might appear in this directory. There
is, however, no language that states that some other messages could not go to another directory.
Nothing appears to restrict having other directories exist or even moving some messages into
those directories. So while Adkins discloses moving messages to other directories, this does not
teach away from applicant's invention.

8.   Applicant's amendments do not actually limit the invention to occurring entirely in a
single inbox directory. The claims only describe what at least must occur in a single inbox
directory, but not that there exists only a single inbox directory with no other folders. As argued
previously, examiner does not believe there is support for limiting the invention entirely to the
one folder without any other directories. Although applicant argues there is ample support,
examiner was unable to find any discussion of exclusively only having one folder, with no other
folders for any other message to go into. However, as discussed above, to promote prosecution
examiner has rearranged the rejection to focus around Harris.

9.   Applicant's arguments with respect to the remaining claims are similar to those presented
above and are addressed similarly.

Claim Rejections - 35 USC § 112

10.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11.   Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. Claim 30 discusses using the junk rating to calculate the junk score. However, the

previous claims all appear to discuss the opposite.

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

    1.   Determining the scope and contents of the prior art.
    2.   Ascertaining the differences between the prior art and the claims at issue.
    3.   Resolving the level of ordinary skill in the pertinent art.
    4.   Considering objective evidence present in the application indicating obviousness
          or nonobviousness.

14.   This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

15.   Claims 1-3, 6-9, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable

over US Pub. No. 2010/0153381 to Harris (hereinafter "Harris") and further in view of US Pat.

No. 7640305 to Arthur et al. (hereinafter "Arthur") and further in view of US Pub. No.

2004/0243844 to Adkins (hereinafter "Adkins").

16.   **As to Claim 1,** Harris discloses **a junk message interface system that facilitates
identifying junk messages comprising:**

a processor for executing the following components (Paragraph [0015] of Harris discloses the

embodiment runs on a computer having a processor and memory)**:**

**a message receiving component that collects at least one incoming message <u>in a single inbox
directory</u>** (Paragraph [0025] of Harris discloses the incoming messages are processed based on

rules)**;**

**a filtering component that accepts the incoming message communicated from the message
receiving component and determines whether a sender is known or trusted before scanning
the message with a filter and determining a junk score for the incoming message, the junk
score is computed to reflect a spam confidence level of the message, wherein the junk score
is a value or fractional value between 0 and 1, and the spam confidence level corresponds to
a probability that the message is spam or junk** (Paragraph [0033] of Harris discloses finding

the e-mail address to be on the non-spam list, for example, can carry a score of negative 100, or

can immediately abort the process with an indication of non-spam. Paragraph [0025] discloses

the incoming messages are processed based on rules. Paragraph [0015] discloses the messages

having a measure of likelihood of spam quotient as a percentage)**, wherein once the message**

has been scored, the message is bucketized <u>**in the single inbox directory**</u> **based on the**

determined junk score and tagged with a junk rating which is added as an actionable

property on the message such that the [junk rating] is displayed on a user interface in

association with each respective message as a separate column so that a display of the

messages can be visually altered based on the junk ratings of the messages by way of one or

more display rules, the one or more display rules allowing for certain messages <u>**located in**</u>

<u>**the single inbox directory**</u>**, based on the junk ratings, to be hidden thus facilitating viewing**

of only desired messages, (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this

browser also includes and displays a measure of likelihood of spam quotient or "LOSQ". The

likelihood of spam quotient is displayed in the rightmost column as a percentage. The likelihood

of spam quotient can be displayed as a number as shown in FIG. 1, or alternately can be

displayed by the color of the message being displayed. For example, the message can be

displayed in green to indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate

medium likelihood of spam (e.g. between 10 and 80 percent, and in red to indicate high

likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for example.

Paragraphs [0021]-[0023] disclose a number of different ways of displaying different email. The

first option, labeled "show all messages", on button 104, has the function, as it suggests, of

showing all messages. A second display option displays only those messages which are likely to

represent desired messages. Hence, only the green and yellow messages are displayed)**, and

wherein a user can override the junk score via a user-based action that affects the junk

score of the message and future messages** (Paragraph [0019]-[0020] of Harris disclose having

a "delete the message; not spam" button which is used to delete the message indicating that it is

not spam. This is used to update the rules in the rules database)

[and wherein the user-based action comprises replying to the message];

[a verification component that requests confirmation regarding the user-based actions on

rated messages]; and

a display component that renders the junk scores as an actionable property on a user

interface to facilitate user management of incoming junk messages communicated from the

filtering component (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also

includes and displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of

spam quotient is displayed in the rightmost column as a percentage. The likelihood of spam

quotient can be displayed as a number as shown in FIG. 1, or alternately can be displayed by the

color of the message being displayed. For example, the message can be displayed in green to

indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of

spam (e.g. between 10 and 80 percent, and in red to indicate high likelihood of spam; for

example likelihood of 80 to 100 percent to be spam, for example. Paragraphs [0021]-[0023]

disclose a number of different ways of displaying different email. The first option, labeled

"show all messages", on button 104, has the function, as it suggests, of showing all messages. A

second display option displays only those messages which are likely to represent desired

messages. Hence, only the green and yellow messages are displayed)

Harris does not explicitly disclose the **junk rating** being displayed in the separate column.

However, such a feature would have been obvious in view of Harris. Paragraphs [0015]-

[0016] and Figure 1 of Harris disclose this browser also includes and displays a measure of

likelihood of spam quotient or "LOSQ". The likelihood of spam quotient is displayed in the

rightmost column as a percentage. The likelihood of spam quotient can be displayed as a

number as shown in FIG. 1, or alternately can be displayed by the color of the message being

displayed. For example, the message can be displayed in green to indicate low likelihood of

spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g. between 10

and 80 percent, and in red to indicate high likelihood of spam; for example likelihood of 80 to

100 percent to be spam, for example. Thus, Harris discloses displaying the junk rating via the

color of the messages, as well as having a separate column indicating the likelihood that a

message is spam. As such it would be obvious to one of ordinary skill in the art to combine

these features in order to combine prior art elements according to known methods to yield

predictable results.

Harris does not explicitly disclose **and wherein the user-based action comprises replying to**

the message

However, Arthur discloses this. Column 8 lines 3-22 of Arthur disclose taking advantage

of the fact that mail that a user replies to is likely to not be junk. Arthur further discloses that a

message being replied to is marked as not junk.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the spam system as disclosed by Harris, with using replies as a variable of testing spam as disclosed by Arthur. One of ordinary skill in the art would have been motivated to combine to use a known technique to improve similar devices in the same way.

Harris does not explicitly disclose **a verification component that requests confirmation regarding the user-based actions on rated messages**

However, Adkins discloses this. Paragraph [0176] of Adkins discloses a user attempting to inspect the content of a message that is very likely spam is warned that the message is unacceptable and strongly advised not to open it.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the spam system as disclosed by Harris, with warning a user of their action as disclosed by Adkins. One of ordinary skill in the art would have been motivated to combine to use a known technique to improve similar devices in the same way.

17.   **As to Claim 2,** Harris-Arthur-Adkins discloses the invention as claimed as described in claim 1, **further comprising a view management component that provides one or more ways the user can modify treatment of the junk messages** (Paragraphs [0021]-[0023] of Harris disclose a number of different ways of displaying different email. The first option, labeled "show all messages", on button 104, has the function, as it suggests, of showing all messages. A second display option displays only those messages which are likely to represent desired messages. Hence, only the green and yellow messages are displayed**).**

18.   **As to Claim 3,** Harris-Arthur-Adkins discloses the invention as claimed as described in

claim 2, **the view management component comprises any one of the following ways to**

mitigate against inadvertently opening a junk message comprising:

sorting and/or grouping messages based at least in part on at least one of their respective

junk scores and their respective junk ratings (Paragraphs [0021]-[0023] of Harris disclose a

number of different ways of displaying different email. The first option, labeled "show all

messages", on button 104, has the function, as it suggests, of showing all messages. A second

display option displays only those messages which are likely to represent desired messages.

Hence, only the green and yellow messages are displayed)**;**

filtering out messages with at least one of a junk score or a junk rating that does not satisfy

at least a first criterion (Paragraphs [0021]-[0023] of Harris disclose a number of different

ways of displaying different email. The first option, labeled "show all messages", on button 104,

has the function, as it suggests, of showing all messages. A second display option displays only

those messages which are likely to represent desired messages. Hence, only the green and yellow

messages are displayed)**;**

setting one or more actions to take against the messages when at least one of the respective

junk scores or junk ratings that do not satisfy at least a second criterion (Paragraphs [0021]-

[0023] of Harris disclose a number of different ways of displaying different email. The first

option, labeled "show all messages", on button 104, has the function, as it suggests, of showing

all messages. A second display option displays only those messages which are likely to

represent desired messages. Hence, only the green and yellow messages are displayed)**; and**

visually altering displays of messages according to at least one of their respective junk scores or junk ratings (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also includes and displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of spam quotient is displayed in the rightmost column as a percentage. The likelihood of spam quotient can be displayed as a number as shown in FIG. 1, or alternately can be displayed by the color of the message being displayed. For example, the message can be displayed in green to indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g. between 10 and 80 percent, and in red to indicate high likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for example**).**

19.   **As to Claim 6,** Harris-Arthur-Adkins discloses the invention as claimed as described in claim 3, **visually altering the displays comprises color-coding, changing fonts, font sizes, backgrounds, adding or altering images, and/or adding or altering sounds associated with the respective messages based at least in part on their respective junk scores** (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also includes and displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of spam quotient is displayed in the rightmost column as a percentage. The likelihood of spam quotient can be displayed as a number as shown in FIG. 1, or alternately can be displayed by the color of the message being displayed. For example, the message can be displayed in green to indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g. between 10 and 80 percent, and in red to indicate high likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for example)

20.   **As to Claim 7,** Harris-Arthur-Adkins discloses the invention as claimed as described in

claim 1**, further comprising an analysis component that examines junk scores of the**

incoming messages and orders them based at least in part on a spam confidence level

associated with the respective messages (Paragraph [0023] of Harris discloses the messages are

sorted by likelihood of being spam)**.**

21.   **As to Claim 8,** Harris-Arthur-Adkins discloses the invention as claimed as described in

claim 1**, the display component is a user-interface that exposes a message's junk score to a**

user so that the user can organize its messages based in part on the respective junk scores

(Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also includes and

displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of spam quotient is

displayed in the rightmost column as a percentage. The likelihood of spam quotient can be

displayed as a number as shown in FIG. 1, or alternately can be displayed by the color of the

message being displayed. For example, the message can be displayed in green to indicate low

likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g.

between 10 and 80 percent, and in red to indicate high likelihood of spam; for example

likelihood of 80 to 100 percent to be spam, for example. Paragraphs [0021]-[0023] disclose a

number of different ways of displaying different email. The first option, labeled "show all

messages", on button 104, has the function, as it suggests, of showing all messages. A second

display option displays only those messages which are likely to represent desired messages.

Hence, only the green and yellow messages are displayed. Paragraph [0023] discloses the

messages are sorted by likelihood of being spam).

22.   **As to Claim 9,** Harris-Arthur-Adkins discloses the invention as claimed as described in

claim 1, **the filtering component further determines whether a source of the message**

appears to be trusted based on at least one of the following: user's blocked senders list,

safe-list, address book, and safe-mailing list (Paragraph [0033] of Harris discloses an e-mail

which is not spam can carry negative scores, for example. Finding the e-mail address to be on the

non-spam list, for example, can carry a score of negative 100, or can immediately abort the

process with an indication of non-spam).

23.   **As to Claim 11,** Harris-Arthur-Adkins discloses the invention as claimed as described in

claim 1, **the verification component fails user requests to perform an action with respect to**

a junk message until the user requests are verified by the users (Paragraph [0176] of Adkins

discloses a user attempting to inspect the content of a message that is very likely spam is warned

that the message is unacceptable and strongly advised not to open it. Accordingly it is seen that

the action would not be performed unless the user decides to continue despite the warning)

         Examiner recites the same rationale to combine used for claim 1.

24.   **As to Claim 12,** Harris-Arthur-Adkins discloses the invention as claimed as described in

claim 1, **wherein the messages are bucketized based on the determined junk score so that**

the effects of features are seen only in aggregate, thereby mitigating reverse engineering of

the junk score (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also

includes and displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of

spam quotient is displayed in the rightmost column as a percentage. The likelihood of spam

quotient can be displayed as a number as shown in FIG. 1, or alternately can be displayed by the

color of the message being displayed. For example, the message can be displayed in green to

indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of

spam (e.g. between 10 and 80 percent, and in red to indicate high likelihood of spam; for

example likelihood of 80 to 100 percent to be spam, for example).

25.   Claims 15, 17, 18, 21-26 and 29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Harris and further in view of Adkins.

26.   **As to Claim 15,** Harris discloses **a method that facilitates identification of junk

messages in a user's inbox comprising:**

employing a processor to execute the identification of junk messages (Paragraph [0015] of

Harris discloses the embodiment runs on a computer having a processor and memory)**,

comprising:**

receiving a plurality of incoming messages <u>in a single inbox directory</u> (Paragraph [0025] of

Harris discloses the incoming messages are processed based on rules)**;**

determining whether a sender is known or trusted (Paragraph [0033] of Harris discloses

finding the e-mail address to be on the non-spam list, for example, can carry a score of negative

100, or can immediately abort the process with an indication of non-spam)

assigning a junk rating to the messages (Paragraphs [0015]-[0016] and Figure 1 of Harris

disclose this browser also includes and displays a measure of likelihood of spam quotient or

"LOSQ". The likelihood of spam quotient is displayed in the rightmost column as a percentage.

The likelihood of spam quotient can be displayed as a number as shown in FIG. 1, or alternately

can be displayed by the color of the message being displayed. For example, the message can be

displayed in green to indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate

medium likelihood of spam (e.g. between 10 and 80 percent, and in red to indicate high

likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for example)**;**

exposing at least the junk rating on a user interface (Paragraphs [0015]-[0016] and Figure 1

of Harris disclose this browser also includes and displays a measure of likelihood of spam

quotient or "LOSQ". The likelihood of spam quotient is displayed in the rightmost column as a

percentage. The likelihood of spam quotient can be displayed as a number as shown in FIG. 1,

or alternately can be displayed by the color of the message being displayed. For example, the

message can be displayed in green to indicate low likelihood of spam (e.g. less than 10%) and

yellow to indicate medium likelihood of spam (e.g. between 10 and 80 percent, and in red to

indicate high likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for

example)**; and**

calculating a junk score for substantially all incoming messages, the junk score is computed

to reflect a spam confidence level of the message, wherein the junk score is a value or

fractional value between 0 and 1, and the spam confidence level corresponds to a

probability that the message is spam or junk (Paragraph [0025] of Harris discloses the

incoming messages are processed based on rules. Paragraph [0015] discloses the messages

having a measure of likelihood of spam quotient as a percentage);

bucketizing the message based on the calculated score <u>while the message is located in the</u>

<u>single inbox directory</u> (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser

also includes and displays a measure of likelihood of spam quotient or "LOSQ". The likelihood

of spam quotient is displayed in the rightmost column as a percentage. The likelihood of spam

quotient can be displayed as a number as shown in FIG. 1, or alternately can be displayed by the

color of the message being displayed. For example, the message can be displayed in green to

indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of

spam (e.g. between 10 and 80 percent, and in red to indicate high likelihood of spam; for

example likelihood of 80 to 100 percent to be spam, for example);

tagging the message with a junk rating which is added as an actionable property on the

message such that the [junk rating] is displayed on a user interface in association with each

respective message as a separate column so that a display of the messages can be visually

altered based on the junk ratings of the messages by way of one or more display rules, the

one or more display rules allowing for certain messages, based on the junk ratings, to be

hidden thus facilitating viewing of only desired messages, (Paragraphs [0015]-[0016] and

Figure 1 of Harris disclose this browser also includes and displays a measure of likelihood of

spam quotient or "LOSQ". The likelihood of spam quotient is displayed in the rightmost column

as a percentage. The likelihood of spam quotient can be displayed as a number as shown in FIG.

1, or alternately can be displayed by the color of the message being displayed. For example, the

message can be displayed in green to indicate low likelihood of spam (e.g. less than 10%) and

yellow to indicate medium likelihood of spam (e.g. between 10 and 80 percent, and in red to

indicate high likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for

example. Paragraphs [0021]-[0023] disclose a number of different ways of displaying different

email. The first option, labeled "show all messages", on button 104, has the function, as it

suggests, of showing all messages. A second display option displays only those messages which

are likely to represent desired messages. Hence, only the green and yellow messages are

displayed); **and**

determining whether at least one of the junk score or the junk rating exceed a first

threshold (Paragraphs [0021]-[0023] of Harris disclose a number of different ways of displaying

different email. The first option, labeled "show all messages", on button 104, has the function,

as it suggests, of showing all messages. A second display option displays only those messages

which are likely to represent desired messages. Hence, only the green and yellow messages are

displayed);

removing messages that exceed the first threshold to mitigate inadvertent access of them by

the user, wherein the message that exceed the first threshold are removed before they are

viewable on the user interface (Paragraphs [0021]-[0023] of Harris disclose a number of

different ways of displaying different email. The first option, labeled "show all messages", on

button 104, has the function, as it suggests, of showing all messages. A second display option

displays only those messages which are likely to represent desired messages. Hence, only the

green and yellow messages are displayed)

overriding the junk score via a user-based action that affects the junk score of the message

and future messages (Paragraph [0019]-[0020] of Harris disclose having a "delete the message;

not spam" button which is used to delete the message indicating that it is not spam. This is used to update the rules in the rules database**), [wherein a confirmation is presented regarding the user-based action on the message, the user-based action including one or more of modifying or replying to the message].**

Harris does not explicitly disclose the **junk rating** being displayed in the separate column.

However, such a feature would have been obvious in view of Harris. Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also includes and displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of spam quotient is displayed in the rightmost column as a percentage. The likelihood of spam quotient can be displayed as a number as shown in FIG. 1, or alternately can be displayed by the color of the message being displayed. For example, the message can be displayed in green to indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g. between 10 and 80 percent, and in red to indicate high likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for example. Thus, Harris discloses displaying the junk rating via the color of the messages, as well as having a separate column indicating the likelihood that a message is spam. As such it would be obvious to one of ordinary skill in the art to combine these features in order to combine prior art elements according to known methods to yield predictable results.

Harris does not explicitly disclose **wherein a confirmation is presented regarding the user-based action on the message.**

However, Adkins discloses this. Paragraph [0176] of Adkins discloses a user attempting

to inspect the content of a message that is very likely spam is warned that the message is

unacceptable and strongly advised not to open it.

Examiner recites the same rationale to combine used in claim 1.

27.   **As to Claim 17,** Harris-Adkins discloses the invention as claimed as described in claim

15**, wherein the messages are bucketized based on the calculated junk score so that the**

effects of features are seen only in aggregate, thereby mitigating reverse engineering of the

junk score (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also includes

and displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of spam

quotient is displayed in the rightmost column as a percentage. The likelihood of spam quotient

can be displayed as a number as shown in FIG. 1, or alternately can be displayed by the color of

the message being displayed. For example, the message can be displayed in green to indicate low

likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g.

between 10 and 80 percent, and in red to indicate high likelihood of spam; for example

likelihood of 80 to 100 percent to be spam, for example**).**

28.   **As to Claim 18,** Harris-Adkins discloses the invention as claimed as described in claim

15**, further comprising organizing junk messages based at least in part upon their junk**

rating (Paragraph [0023] of Harris discloses the messages are sorted by likelihood of being

spam**).**

29.   **As to Claim 21,** Harris-Adkins discloses the invention as claimed as described in claim

15, **the junk rating is based at least in part on one of the following: junk score, one or more**

safe lists, one or more safe sender lists, user-based actions, and/or user-generated address

book (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also includes and

displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of spam quotient is

displayed in the rightmost column as a percentage. The likelihood of spam quotient can be

displayed as a number as shown in FIG. 1, or alternately can be displayed by the color of the

message being displayed. For example, the message can be displayed in green to indicate low

likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g.

between 10 and 80 percent, and in red to indicate high likelihood of spam; for example

likelihood of 80 to 100 percent to be spam, for example)**.**

30.   **As to Claim 22,** Harris-Adkins discloses the invention as claimed as described in claim

21, **user-based actions comprises at least one of the following:**

unjunking a message by moving it from a junk state to a non-junk state resulting in an

"unjunked" junk rating (Paragraph [0019]-[0020] of Harris disclose the user is presented with

three different options: delete the message without indicating whether it is spam or not, delete the

message while indicating that it is spam, or delete the message indicating that it is not spam. The

latter two options are used to update the rules in the rules database as described in further detail

herein. Hence, this option allows adding an incoming e-mail message to the spam list, when it is

determined to be likely to be spam)**;**

junking a message by moving it from a non-junk state to a junk state resulting in a

"junked" junk rating (Paragraph [0019]-[0020] of Harris disclose the user is presented with

three different options: delete the message without indicating whether it is spam or not, delete the

message while indicating that it is spam, or delete the message indicating that it is not spam. The

latter two options are used to update the rules in the rules database as described in further detail

herein. Hence, this option allows adding an incoming e-mail message to the spam list, when it is

determined to be likely to be spam)**; and**

adding a sender to one or more safe lists to change the junk rating of the message to safe

(Paragraph [0033] of Harris discloses finding the e-mail address to be on the non-spam list.

Paragraph [0019]-[0020] disclose the user is presented with three different options: delete the

message without indicating whether it is spam or not, delete the message while indicating that it

is spam, or delete the message indicating that it is not spam. The latter two options are used to

update the rules in the rules database as described in further detail herein. Hence, this option

allows adding an incoming e-mail message to the spam list, when it is determined to be likely to

be spam. This presumably would apply to the non-spam list as well)**.**

31.   **As to Claim 23,** Harris-Adkins discloses the invention as claimed as described in claim

22**, the user-based actions affect the junk rating of the message and/or future messages**

received from a particular sender (Paragraph [0019]-[0020] of Harris disclose the user is

presented with three different options: delete the message without indicating whether it is spam

or not, delete the message while indicating that it is spam, or delete the message indicating that it

is not spam. The latter two options are used to update the rules in the rules database as described

in further detail herein. Hence, this option allows adding an incoming e-mail message to the

spam list, when it is determined to be likely to be spam. Paragraph [0027] explains that the first

item in the database is the "received from" field.

32.   **As to Claim 24,** Harris-Adkins discloses the invention as claimed as described in claim

15, **assigning a junk rating to messages commensurate with at least their respective junk**

scores (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also includes and

displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of spam quotient is

displayed in the rightmost column as a percentage. The likelihood of spam quotient can be

displayed as a number as shown in FIG. 1, or alternately can be displayed by the color of the

message being displayed. For example, the message can be displayed in green to indicate low

likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g.

between 10 and 80 percent, and in red to indicate high likelihood of spam; for example

likelihood of 80 to 100 percent to be spam, for example).

33.   **As to Claim 25,** Harris-Adkins discloses the invention as claimed as described in claim

15, **bucketizing the message based on the calculated junk score comprises:**

providing a plurality of buckets comprising at least the following categorized buckets: an

unscanned bucket, a light bucket, a medium bucket, and a high bucket, the plurality of

buckets respectively assigned to a range of junk score values (Paragraphs [0015]-[0016] and

Figure 1 of Harris disclose this browser also includes and displays a measure of likelihood of

spam quotient or "LOSQ". The likelihood of spam quotient is displayed in the rightmost column

as a percentage. The likelihood of spam quotient can be displayed as a number as shown in FIG.

1, or alternately can be displayed by the color of the message being displayed. For example, the

message can be displayed in green to indicate low likelihood of spam (e.g. less than 10%) and

yellow to indicate medium likelihood of spam (e.g. between 10 and 80 percent, and in red to

indicate high likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for

example. As to having an unscanned bucket it is seen that all incoming mail is inherently part of

the unscanned bucket until otherwise sorted);

dropping messages into respective buckets based at least in part on their calculated junk

score such that the respective bucket determines the junk rating for the respective

messages (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also includes

and displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of spam

quotient is displayed in the rightmost column as a percentage. The likelihood of spam quotient

can be displayed as a number as shown in FIG. 1, or alternately can be displayed by the color of

the message being displayed. For example, the message can be displayed in green to indicate low

likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g.

between 10 and 80 percent, and in red to indicate high likelihood of spam; for example

likelihood of 80 to 100 percent to be spam, for example**).**

34.   **As to Claim 26,** Harris-Adkins discloses the invention as claimed as described in claim

15, **further comprising exposing respective junk scores for the messages** (Paragraphs [0015]-

[0016] and Figure 1 of Harris disclose this browser also includes and displays a measure of

likelihood of spam quotient or "LOSQ". The likelihood of spam quotient is displayed in the

rightmost column as a percentage. The likelihood of spam quotient can be displayed as a

number as shown in FIG. 1, or alternately can be displayed by the color of the message being

displayed. For example, the message can be displayed in green to indicate low likelihood of

spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g. between 10

and 80 percent, and in red to indicate high likelihood of spam; for example likelihood of 80 to

100 percent to be spam, for example).

35.   **As to Claim 29,** Harris-Adkins discloses **a computer storage media having stored**

thereon the system of claim 1 (Paragraph [0015] of Harris discloses a first embodiment

describes an e-mail program which allows automatic rejection of unwanted messages. The

embodiment runs on a computer shown in FIG. 3, having a processor 300 and memory 305).

36.   Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harris-

Arthur-Adkins and further in view of US Pub. No. 2005/0165895 to Rajan et al. (hereinafter

"Rajan").

37.   **As to Claim 4,** Harris-Arthur-Adkins discloses the invention as claimed as described in

claim 3. Harris-Arthur-Adkins does not explicitly disclose **the first criterion is configurably**

different from the second criterion.

        However, Rajan discloses this. Paragraph [0031] of Rajan discloses being able to assign

ranges associated with the directories.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the spam system as disclosed by Harris-Arthur-Adkins, with configuring the criterion as disclosed by Rajan. One of ordinary skill in the art would have been motivated to combine to use a known technique to improve similar devices in the same way.

38.   **As to Claim 5,** Harris-Arthur-Adkins discloses the invention as claimed as described in claim 3. Harris-Arthur-Adkins does not explicitly disclose **at least one of the first and second criteria is determined according to user preferences.**

However, Rajan discloses this. Paragraph [0031] of Rajan discloses being able to assign ranges associated with the directories.

Examiner recites the same rationale to combine used for claim 3.

39.   Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harris and further in view of Arthur.

40.   **As to Claim 30,** Harris discloses **a method that facilitates identification of junk messages in a user's inbox, the method comprising:**
receiving a plurality of email messages in a single inbox directory (Paragraph [0025] of Harris discloses the incoming messages are processed based on rules);
assigning a junk rating for each of the plurality of email messages in the single inbox directory (Paragraphs [0015]-[0016] and Figure 1 of Harris disclose this browser also includes and displays a measure of likelihood of spam quotient or "LOSQ". The likelihood of spam

quotient is displayed in the rightmost column as a percentage. The likelihood of spam quotient

can be displayed as a number as shown in FIG. 1, or alternately can be displayed by the color of

the message being displayed. For example, the message can be displayed in green to indicate low

likelihood of spam (e.g. less than 10%) and yellow to indicate medium likelihood of spam (e.g.

between 10 and 80 percent, and in red to indicate high likelihood of spam; for example

likelihood of 80 to 100 percent to be spam, for example);

based on the junk rating, calculating a junk score for the each of the plurality of email

messages in the single inbox directory (Paragraphs [0015]-[0016] and Figure 1 of Harris

disclose this browser also includes and displays a measure of likelihood of spam quotient or

"LOSQ". The likelihood of spam quotient is displayed in the rightmost column as a percentage.

The likelihood of spam quotient can be displayed as a number as shown in FIG. 1, or alternately

can be displayed by the color of the message being displayed. For example, the message can be

displayed in green to indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate

medium likelihood of spam (e.g. between 10 and 80 percent, and in red to indicate high

likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for example);

displaying the junk ratings on a user interface in association with the respective email

messages in the single inbox directory (Paragraphs [0015]-[0016] and Figure 1 of Harris

disclose this browser also includes and displays a measure of likelihood of spam quotient or

"LOSQ". The likelihood of spam quotient is displayed in the rightmost column as a percentage.

The likelihood of spam quotient can be displayed as a number as shown in FIG. 1, or alternately

can be displayed by the color of the message being displayed. For example, the message can be

displayed in green to indicate low likelihood of spam (e.g. less than 10%) and yellow to indicate

medium likelihood of spam (e.g. between 10 and 80 percent, and in red to indicate high

likelihood of spam; for example likelihood of 80 to 100 percent to be spam, for example);

receiving an indication that a first email message of the plurality of email messages has

been modified by the user (Paragraph [0019]-[0020] of Harris disclose the user is presented

with three different options: delete the message without indicating whether it is spam or not,

delete the message while indicating that it is spam, or delete the message indicating that it is not

spam. The latter two options are used to update the rules in the rules database as described in

further detail herein. Hence, this option allows adding an incoming e-mail message to the spam

list, when it is determined to be likely to be spam)**; and**

[dynamically updating the junk rating of the first email message on the user interface

based on the user modification to the first email message].

Harris does not explicitly disclose **dynamically updating the junk rating of the first email**

message on the user interface based on the user modification to the first email message

However, Arthur discloses this. Column 8 lines 3-22 of Arthur disclose taking advantage

of the fact that mail that a user replies to is likely to not be junk. Arthur further discloses that a

message being replied to is marked as not junk.

Examiner recites the same rationale to combine used for claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KEVIN S. MAI whose telephone number is (571)270-5001. The

examiner can normally be reached on Monday - Friday, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KEVIN S MAI/
Examiner, Art Unit 2456